



*B* **ORDERED, ADJUDGED AND DECREED** that Larry Caplan is sanctioned and shall pay damages to Aharon Eric Proba in the amount of \$6,666.00 for loss of personal income during the months of July, 2006 and August, 2006 and said funds shall be paid to Aharon Eric Proba in certified funds by 5:00 p.m. on October 18, 2006;

*B* **ORDERED, ADJUDGED AND DECREED** that Larry Caplan is sanctioned and shall pay the sum of \$45,500.00 representing Trustmark National Bank's cash collateral converted by Larry Caplan to his own use, and said funds shall be paid to Mazada Enterprises, Inc., in certified funds by 5:00 p.m. on October 18, 2006. Mazada Enterprises, Inc., shall hold the funds in trust in a separate account at Trustmark National Bank. No disbursements shall be made from the account holding these funds without an agreement between Mazada Enterprises, Inc., and Trustmark National Bank or further order from this Court.

*B* **ORDERED, ADJUDGED AND DECREED** that Larry Caplan is sanctioned and shall pay the sum of \$2,000.00 representing the funds he paid out of the Bankruptcy Estate to Steve Richards, and said funds shall be paid to Mazada Enterprises, Inc., in certified funds by 5:00 p.m. on October 18, 2006;

*B* **ORDERED, ADJUDGED AND DECREED** that Larry Caplan shall pay all of the reasonable and necessary attorneys' fees and costs incurred in this case by Aharon Eric Proba and Trustmark National Bank since July 7, 2006, the date this bankruptcy was filed. On Sept. 18, 2006, the Court held a hearing to determine the amount of the reasonable and necessary attorneys' fees and costs to be paid by Larry Caplan to Karen R. Emmott, attorney for Aharon Eric Proba, and to Michael Falick, attorney for Trustmark National Bank. The Court finds that the reasonable and necessary attorneys' fees and costs incurred by Aharon Eric Proba total \$ 28,914.00, and the reasonable and necessary attorneys' fees and costs incurred by Trustmark National Bank total \$ 48,563.76. The Court orders that Larry Caplan pay these amounts in certified funds by 5:00 p.m. on October 18, 2006;

*B* **ORDERED, ADJUDGED AND DECREED** that Larry Caplan <sup>may be</sup> ~~is~~ sanctioned in the additional amount of any and all funds of the Debtor that were expended for which no direct benefit to the Debtor can be shown. The Court will hold a separate hearing on Trustmark National Bank's Motion for Sanctions detailing these additional amounts.

*B* *It is further ORDERED that Larry Caplan shall deliver the certified funds*  
The Court orders execution to issue for this Judgment. The Court denies all relief not granted in this Judgment. This is a FINAL JUDGMENT. \*

SIGNED this 18th day of Sept., 2006.

*to Ms. Emmott.*

  
JEFF BOHM

UNITED STATES BANKRUPTCY JUDGE

*B* \* It is further ORDERED that if Larry Caplan fails to pay any of the amounts set forth above by 5:00 p.m. on October 18, 2006, then he shall be in contempt of this Court, the consequences of which shall be incarceration and/or further monetary sanctions, or both.

**APPROVED AS TO FORM AND SUBSTANCE:**

/s/ Karen R. Emmott

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/s/ James B. Jameson

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